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## DIGEST

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Amedee

SB No. 707

Present law provides for a general exception to the public records law for records in the custody or control of any attorney or counsel whose duties are performed by or under the authority of the legislature relative to any case, cause, charge, or investigation conducted by the legislature. Provides that after final disposition, the records are public and subject to the public records law. Present law makes reference to a present law (R.S. 44:3) that provides that the identity of confidential sources remain privileged.

Proposed law removes language relative to records in the custody or control of any attorney or counsel and provides instead for an exception for records in the custody or control of the legislature, or either house or any committee or officer thereof relative to any case, cause, charge, or investigation conducted by the legislature or either house or any committee or officer thereof. Proposed law further removes the reference to present law (R.S. 44:3) relative to confidential sources and specifically provides that all records, etc. obtained or developed pursuant to any case, cause, charge, or investigation conducted by the legislature or either house or any committee or officer thereof which pertain to or impart the identity of any confidential source of information is privileged and prohibits any member, officer, or employee of the legislature from disclosing or producing such records except on court order.

Proposed law retains present law which provides that after final disposition, the records are public and subject to the public records law, except those relative to the identity of confidential sources.

Proposed law further provides for a specific exception to the public records law for any privileged or confidential data or records in the custody of the legislature or either house thereof which are obtained or used for the purpose of considering the election, confirmation, or approval of any nomination or appointment for which election, confirmation, or approval by legislature or either house thereof is required.

Proposed law allows the disclosure of any information relevant to the education, employment history, or work experience of an appointee or nominee.

(Amends R.S. 44:2)

### Summary of Amendments Adopted by Senate

#### Senate Floor Amendments to engrossed bill

1. Makes technical change.
2. Adds privileged data or records to exceptions.
3. Changes the purpose of the data or records to the election, confirmation, or approval.
4. Provides that the disclosure of certain information is not prohibited.

### Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on House and Governmental Affairs to the reengrossed bill.

1. Removes reference to present law provision relative to confidential sources and provides specifically for the privileged nature of the identity of

confidential sources and prohibits the disclosure of such information except on court order.

2. Removes language relative to records in the custody or control of any attorney or counsel whose duties are performed by or under the authority of the legislature relative to investigations, etc. by the legislature and provides instead relative to records in the custody or control of the legislature, or either house or any committee or officer thereof.
3. Relative to privileged or confidential data or records for nominations and appointments, removes specific reference limiting applicability to the Senate and instead refers to the legislature or either house thereof.